

# RESPONSE TO MOTION FOR TEMPORARY ORDERS OR EX PARTE RESTRAINING ORDER/ORDER TO SHOW CAUSE

King County Family Law Facilitators: Instruction # F-5  
King County Local Family Law Rules (LFLRs)

*If you have been served with a Motion for Temporary Orders or Ex Parte Restraining Order/Order to Show Cause and you are required to appear in the Family Law Department for a hearing, you must file with the Court and serve the other party with a copy of your responsive materials by noon, 4 court days prior to the hearing. The date and time for the hearing will be listed on the Note for Motion Docket Form or on the Ex Parte Restraining Order/Order to Show Cause. These instructions do not discuss responding to the Summons and Petition; ask a Facilitator for the instructions that apply to your case type.*

## STEP 1: REVIEW THE OTHER PARTY'S DOCUMENTS

**The other party should have served you with the following documents:**

- Note for Motion Docket or Ex Parte Restraining Order/Order to Show Cause
- Motion and Declaration for Temporary Order or Motion and Declaration for Ex Parte Restraining Order/Order to Show Cause
- Declaration(s)
- Proposed Temporary Order

**If the other party requested temporary custody or visitation, you should have received:**

- Proposed Temporary Parenting Plan
- Declaration in Support of Proposed Temporary Parenting Plan

**If the other party requested temporary child support, you should have received:**

- Financial Declaration
- Sealed Financial Source Documents cover sheet and attachments
- Child Support Worksheets WSCSS – Worksheets or WSCSS – Worksheets RDP (Registered Domestic Partnership)
- Proposed Order of Child Support

**If the other party requested temporary spousal maintenance, you should have received:**

- Financial Declaration
- Sealed Financial Source Documents cover sheet and attachments

## STEP 2: TALK TO AN ATTORNEY, IF POSSIBLE

These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for less cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low income people. Contact the Facilitators' office for a Legal Resource List or the King County Bar Association Lawyer Referral Line for information about resources for low income people.

## STEP 3: COMPLETE THE REQUIRED FORMS AND DOCUMENTS

These forms can be downloaded at: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms)

- [Declaration form, WPF DRPSCU 01.0100](#)
- [Temporary Order, WPF DR 04.0250](#) (*WPF PS 04.0250 in parentage cases*)
- Declaration of Mailing or Delivery or [Return of Service, WPF DRPSCU 01.0250](#) (See Step 5.)

If temporary custody or visitation has been requested, you will also need:

- [Parenting Plan, WPF DR 01.0400](#) (*WPF PS 01.0400 in parentage cases*)
- [Declaration in Support of Proposed Temporary Parenting Plan, WPF DR 04.0120](#) (*WPF PS 04.0120 in parentage cases*)

If child support has been requested, you will also need:

- Child Support Worksheets [WSCSS – Worksheets](#) or [WSCSS – Worksheets RDP \(Registered Domestic Partnership\)](#)
- [Order of Child Support, WPF DR 01.0500](#) (*WPF PS 01.0500 in parentage cases*)
- [Financial Declaration, WPF DRSPCU 01.1550](#)
- [Sealed Financial Source Documents WPF DRPSCU 09.0220](#) and attachments (see discussion below).

If the motion involves spousal maintenance, you will also need:

- [Financial Declaration, WPF DRSPCU 01.1550](#)
- [Sealed Financial Source Documents WPF DRPSCU 09.0220](#) and attachments (see discussion below)

**Declaration:** Describe in detail why you believe the Court should deny the other party's requests for relief and why the Court should rule in your favor. You may attach to your declaration any records such as police reports, school or medical records, etc., in support of your case. Others who know about your case may write a declaration on your behalf.

**Temporary Order:** Fill out this form by checking off and writing in everything you want.

**Declaration of Mailing or Delivery, or Return of Service:** See Step 5 to determine which of these forms you need.

**Parenting Plan:** Complete this form only if you disagree with the temporary parenting plan proposed by the other party.

*Before signing the final parenting plan, the court will consult the judicial information system and databases, if available, to determine the existence of any information and proceedings that are relevant to the placement of the children.*

**Declaration in Support of Proposed Temporary Parenting Plan:** If you fill out a Proposed Parenting Plan, fill out this form addressing parenting functions and work schedules for each parent and the past and present child care schedules.

**Child Support Worksheets WSCSS – Worksheets or WSCSS – Worksheets RDP (Registered Domestic Partnership)**

Complete these worksheets only if you disagree with the Order of Child Support proposed by the other party. Read the “[Child Support Schedule and Instructions](#)” for information about how to complete the Worksheets. Online Child Support Calculation software is available at <https://fortress.wa.gov/dshs/csips/ssgen/>

**Order of Child Support:** Complete this form only if you disagree with the Order of Child Support proposed by the other party. (The completed worksheets should be used to assist you in filling out this form.)

**Financial Declaration:** Fill out with your information. You also need to provide the other party's information to the best of your knowledge.

**Sealed Financial Source Documents:** Fill out this cover sheet and attach copies of the following financial documents needed per King County Local Family Law Rules, LFLR 10:

- Complete tax returns for the prior two years, including all schedules and all W-2's
- All pay stubs showing income for the past six months or since January 1 of the calendar year, whichever period is greater. If a party does not receive pay stubs, other documents shall be provided that show all income received from whatever source, and the deductions from earned income for these periods;
- Complete partnership and corporate tax returns for the past two years, together with all schedules and attachments, for all partnerships and corporations in which a party has had an interest of five percent or greater.

- All statements related to financial institutions in which the parties have or had an interest during the last six (6) months.
- Check registers shall be supplied within fourteen (14) days if requested by the other party.

#### **STEP 4: MAKE COPIES, FILE WITH THE CLERK, DELIVER WORKING PAPERS**

**Make 3 copies of your responsive materials.** On the copies only of your proposed orders, write **PROPOSED** in the upper right hand corner of the first page.

**File the originals of the following forms in the Clerk's Office by noon, 4 court days prior to the hearing (court days do not include weekends or holidays):**

- Declaration(s)
- And if applicable:***
  - Declaration in Support of Proposed Parenting Plan
  - Washington State Child Support Worksheets
  - Financial Declaration
  - Sealed Financial Source Documents cover sheet with attachments

**Do not file the original or a copy of any proposed order. You will bring the originals of these forms with you to your hearing.**

**Deliver working papers (copies of all forms) to the Family Law Coordinator by noon, 3 court days prior to the hearing.** Court days do not include weekends or holidays.

**In the top right hand corner of the first page of the working papers write:**

WORKING PAPERS  
FAMILY LAW MOTIONS  
HEARING DATE: \_\_\_\_\_  
HEARING TIME: \_\_\_\_\_ AM/PM  
NAME: \_\_\_\_\_  
(Your name)

#### **STEP 5: SERVE THE OTHER PARTY**

**Serve the other party with a copy of all your responsive materials by noon, 4 court days prior to the hearing.**

You may serve your responsive materials by delivering them yourself to the other party (provided that no order restrains you from having contact) by noon, 4 court days prior to the hearing. *If you are mailing your response packet, you must mail it 7 days before the hearing.* If the other party is represented in this case by an attorney, deliver or mail to the attorney instead. If you have delivered or mailed your response papers, fill out the Declaration of Mailing or Delivery. If you have had the other party personally served, the server must fill out and sign the Return of Service form. Make one copy of the

appropriate form for your records and file the original with the Clerk's Office. Bring the copy to your hearing.

**If the motion includes child support and if any of the children have ever been on public assistance, you must also deliver a copy of your responsive materials to the King County Prosecuting Attorney Family Support Section.**

#### **STEP 6: ATTEND THE HEARING**

**Bring the originals of your proposed orders and a copy of all your responsive materials to the hearing.** Check in for your hearing 30 minutes early.

YOU MAY HAVE TO WAIT UP TO 3 HOURS FOR YOUR HEARING. DO NOT BRING CHILDREN WITH YOU. Limited childcare is available at the Regional Justice Center in Kent. You must call to reserve a space for your children.

**After the hearing you may make a copy of the Court's orders.** All original orders signed by the Commissioner must be filed in the Clerk's Office.

**DO NOT LEAVE THE COURTHOUSE WITH THE ORIGINAL ORDERS SIGNED BY THE COMMISSIONER.**

**WARNING:** These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. (You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem but not represent you in court). If you need a lawyer, contact the Family Law Facilitators' Office for a *Legal Resource List* or call the King County Bar Association Lawyer Referral Line.